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TOTAL AMOUNT OF PAYMENT

(\$ 1240.00)

Complete if Known

| | |
|----------------------|----------------------|
| Application Number | 09/177,387 |
| Filing Date | October 23, 1998 |
| First Named Inventor | Hartley et al. |
| Examiner Name | Yucel, I. |
| Group Art Unit | 1636 |
| Attorney Docket No. | 0942.2850004/RWE/BJD |

TOTAL AMOUNT OF PAYMENT

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METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number
19-0036

Deposit Account Name
Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Entity Fee (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|-----------------|----------------------------|-----------------|------------------------|
| 101 | 740 | 201 | 370 | Utility filing fee |
| 106 | 330 | 206 | 165 | Design filing fee |
| 107 | 510 | 207 | 255 | Plant filing fee |
| 108 | 740 | 208 | 370 | Reissue filing fee |
| 114 | 160 | 214 | 80 | Provisional filing fee |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

| Extra | Fee from below | Fee Paid |
|--------------|----------------|-----------------|
| Total Claims | - 20** = | X _____ = _____ |

| | | |
|---------------|---------|-----------------|
| Indep. Claims | - 3** = | X _____ = _____ |
|---------------|---------|-----------------|

| | | |
|--------------------|---------|-------|
| Multiple Dependent | _____ = | _____ |
|--------------------|---------|-------|

| Large Entity Fee Code (\$) | Entity Fee (\$) | Small Entity Fee Code (\$) | Entity Fee (\$) | Fee Description |
|----------------------------|-----------------|----------------------------|-----------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim |
| 108 | 84 | 209 | 42 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY**Complete (if applicable)**

| | | | | | |
|-------------------|--------------------|--------------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Brian J. Del Buono | Registration No. (Attorney/Agent) | 42,473 | Telephone | 202-371-2600 |
| Signature | | | | Date | April 30, 2002 |

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND SKGF Rev. 10/01/01 mnc

SKGF_DC1:8717.1

#8717v1<SKGF_DC1> -PTO Fee Transmittal for 3-mo. EOT and NOP re US ap.wpd

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**Sterne Kessler
Goldstein Fox**

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April 30, 2002

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Art Unit 1636

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 09/177,387; Filed: October 23, 1998
For: **Recombinational Cloning Using Nucleic Acids Having Recombination Sites**
Inventors: Hartley *et al.*
Our Ref: 0942.2850004/RWE/BJD

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal Form (PTO/SB/17);
2. Our Check No. 35002 to cover the appropriate fees for a 3-month extension of time and a Notice of Appeal;
3. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1);
4. Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences - Large Entity; and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
April 30, 2002
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
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BJD/nef
Enclosures

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